

DEPARTMENT OF VETERANS AFFAIRS

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**LEGISLATIVE UPDATE – AUGUST 19, 2003****AB 189 COGDILL****Sales and use taxes exemption: veterans meals**

This bill would exempt from the sales and use tax meals and food products that are furnished or served by any nonprofit veterans organization for purposes of fundraising.

STATUS: In the Senate Appropriations Committee.

AB 207 MAZE**Vandalism: veterans memorial, monument or cemetery (Amended May 19, 2003)**

This bill would provide that it is a crime, punishable by imprisonment in the state prison or in a county jail, to commit an act of vandalism with respect to a veterans memorial or monument.

STATUS: In the Senate Public Safety Committee.

AB 214 S. HORTON**Taxpayer contributions: Veterans Quality of Life Fund (Amended June 23, 2003)**

This bill would allow taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the Veterans Quality of Life Fund, which would be created by this bill. However, the bill would provide that a voluntary contribution designation for this fund may not be added on the tax return until another voluntary contribution designation is removed from that return. This bill would provide for the expenditure of all moneys contributed to the fund pursuant to these provisions, upon appropriation by the Legislature, for administrative costs and for distribution into the Morale, Welfare, and Recreation Fund for each of the veterans homes. This bill would require that the annual report of all moneys deposited into and expenditures from the Morale, Welfare, and Recreation Fund for the Chula Vista Veterans Home be submitted to the Chula Vista Veterans Home Support Foundation until the Chula Vista Veterans Home Allied Council is established.

STATUS: In the Senate Appropriations Committee.

AB 279 COHN**Veterans farm and home purchases: life or disability insurance**

This bill would prohibit the life and disability insurance reserves in the Cal-Vet loan program from being more than 23% in excess of actuarial requirements plus the reasonable contingency reserve. The bill contains an urgency clause.

STATUS: In the Assembly Veterans Affairs Committee and Assembly Insurance Committee.

AB 322 PARRA**Disabled veterans property tax exemption (Amended April 7, 2003)**

This bill would extend a disabled veteran's property tax exemption to property owned, in whole or in part, by the veteran's spouse. The bill would also specify that property owned by a disabled veteran who is confined to a hospital or other care facility would continue to be the principal residence or veteran on the property tax lien date if that property was the principal place of residence of the owner immediately prior to that confinement.

STATUS: On the Senate floor.

AB 323 PARRA**Nonprofit veteran service agencies (Amended June 16, 2003)**

This bill would authorize any state agency, city, county, political subdivision, or district to, without advertising or calling for bids, purchase goods manufactured by, and services provided by, nonprofit veteran service agencies and to equitably apportion the purchases among those agencies, provided certain requirements are met.

STATUS: In the Assembly Veterans Affairs Committee.

AB 505 WIGGINS**Inspector General for Veterans Affairs (Amended April 8, 2003)**

This bill would allow the inspector general to access all necessary records as required to perform his or her duty to undertake reviews and investigations. The bill would also include within the definition of peace officer the inspector general and any employee designated by the inspector general, provided that the primary duty of these employees shall be conducting reviews and investigations of veteran programs. This bill would also require the inspector general to submit the annual report on veterans programs to the Assembly and Senate Committees on Veterans Affairs.

STATUS: In the Assembly Veterans Affairs Committee.

AB 669 COHN**Public contracts: disabled veteran business enterprises (Amended April 24, 2003)**

This bill would require small businesses and disabled veteran business enterprises to perform

commercially useful functions in relation to any state contract those businesses are awarded for

construction, the procurement of goods, information technology, or the delivery of services, materials, supplies, equipment, alteration, repair, or improvement. This bill would also revise the definition of disabled veteran to require that the veteran have at least a 10% service-connected disability and be domiciled in California.

STATUS: On the Senate floor.

AB 683 PLESCIA

Veterans cemeteries

This bill would establish a Governor's Commission on State Veterans Cemeteries consisting of 5 members who are veterans, 3 appointed by the Governor, one appointed by the Speaker of the Assembly, and one appointed by the Senate Rules Committee, to advise the Governor and the Legislature on the establishment of veterans cemeteries in California, including recommendations on sites and determination of need for cemeteries. The bill would repeal these provisions on January 1, 2006.

STATUS: In the Assembly Appropriations Committee.

AB 781 LIEBER

Retroactive high school diplomas (Amended June 18, 2003)

This bill would authorize a high school district, unified school district, or a county office of education, to retroactively grant a high school diploma to a former pupil who served in and was honorably discharged from the United States military or who was interned in the United States during prescribed time periods.

STATUS: Signed by the Governor (Chapter 130).

AB 890 WESSON/PARRA

California Veterans Board: membership

This bill would require one member of the California Veterans Board to be an accredited veterans service officer as recognized by the Department of Veterans Affairs.

STATUS: In the Senate Inactive File.

AB 1036 MULLIN

Cal-Vet loans (Amended August 18, 2003)

This bill would change the Cal-Vet loan program expenditure limits to \$125,000 in the case of a mobilehome that is to be sited in a mobilehome park and, in the case of a farm, to 150% of the maximum Fannie Mae loan limit. The bill would also authorize the department to advance home improvement loans subordinate to existing financing. This bill would authorize the department to

waive the initial payment for a purchase that requires a loan guaranty by the U. S. Department of Veterans Affairs. The bill would also authorize the department to expend moneys from the Veterans' Farm and Home Building Fund to provide initial payment assistance to lower income first-time purchasers in the form of a deferred-payment second loan.

STATUS: In the Senate Appropriations Committee.

AB 1116 MOUNTJOY

Vehicles: special recognition license plates: California National Guard (Amended April 3, 2003)

This bill would authorize the Department of Motor Vehicles to issue special recognition license plates to a current or retired member of the California National Guard. The bill would prohibit a person from falsely representing himself or herself as an active or retired member of the California National Guard so as to be eligible for the special recognition plates.

STATUS: In the Senate.

AB 1148 WYLAND

Vehicles: disabled veterans (Amended June 2, 2003)

This bill would include within the definition of "disabled veteran" for Vehicle Code purposes a veteran who has a disability that has resulted in the assignment of a total disability rating by the U.S. Department of Veterans Affairs under a specified federal regulation, but would exclude these veterans from provisions exempting certain categories of persons from the payment of certain vehicle and license fees.

STATUS: In the Senate Appropriations Committee.

AB 1179 PARRA

Public records (Amended July 21, 2003)

This bill would provide that a certified copy of a veteran's records shall be made available only to the person who is the subject of the record upon presentation of proper photo identification, to a spouse, child, or legal representative of the person who is the subject of the record upon presentation of proper photo identification and certification of their relationship to the subject of the record, or to a county office that provides veterans' benefits services or a United States official upon written request.

STATUS: In the Senate Judiciary Committee.

AB 1416 VARGAS

Dependents of veterans: California State Freedom Endowment (Amended May 13, 2003)

This bill would create the California State Freedom Endowment in the Department of Veterans Affairs to provide funding for educational and health care expenses for dependents of veterans who

were either killed in action or died as a result of war service beginning with the start of the Iraq conflict on March 19, 2003. The bill would create the California State Freedom Endowment Fund, which would be funded by private donations and voluntary taxpayer contributions. This bill would also allow taxpayers to designate on their tax returns a specified amount in excess of their tax liability be transferred to the fund.

STATUS: In the Senate Revenue and Taxation Committee.

AB 1420 LAIRD

Fish and game: hunting license (Amended June 17, 2003)

This bill would define “disabled veteran” for purposes of issuing a reduced fee hunting license as a person having a 50% or greater service-connected disability and an honorable discharge from military service.

STATUS: In the Assembly for concurrence.

AB 1520 KEHOE

Lesbian Gay Bisexual and Transgender Veterans Memorial Commission

This bill would create the California Lesbian Gay Bisexual and Transgender Veterans Memorial Commission and would provide for its composition and duties. It would authorize the design, construction, and dedication of a memorial at an unspecified site and would authorize the commission to establish a schedule for its design, construction, and dedication. The bill would require that the funding for the memorial be from private contributions.

STATUS: In the Assembly Veterans Affairs Committee.

AB 1591 VA COMMITTEE

County veteran service officers: disbursements to counties (Amended April 24, 2003)

This bill would appropriate \$3,250,000 from the General Fund to the department for disbursement to the counties for purposes of supporting county veteran service officers, and would make legislative findings and declarations in that regard.

STATUS: In the Assembly Appropriations Committee.

AB 1592 VA COMMITTEE

Veterans

This bill would make technical, nonsubstantive changes to existing law that defines a veteran for purposes of various programs bestowing benefits upon veterans.

STATUS: In the Assembly.

AB 1593 VA COMMITTEE **Veterans: Cal-Vet loans**

This bill would make technical, nonsubstantive changes to existing law that provides for farm and home purchase benefits for qualifying veterans under the Veterans Farm and Home Purchase Act of 1974 and subsequent acts.

STATUS: In the Assembly Veterans Affairs and Higher Education Committees.

AB 1594 VA COMMITTEE **Discrimination: veterans (Amended July 2, 2003)**

This bill would specify that the provision of housing exclusively for homeless veterans who possess significant barriers to social reintegration and employment is authorized by the state, and shall not be considered discrimination, notwithstanding any provision of state law or of local ordinances.

STATUS: In the Senate Appropriations Committee.

AB 1698 VA COMMITTEE **Disabled veterans (Amended April 24, 2003)**

This bill would appropriate \$200,000 from the General Fund to the department for allocation to the American Battle Monuments Commission for the construction of the American Veterans Disabled for Life Memorial. It would express the intent of the Legislature that the amount to be appropriated be one dollar for every California veteran who is disabled for life as a result of serving in the defense of his or her country.

STATUS: In the Assembly Appropriations Committee.

AB 1736 VA COMMITTEE **Veterans: Cal-Vet loans (Amended August 18, 2003)**

The bill would make an appropriation by additionally authorizing the use of funds from the Veterans Home Bond Act of 2000 to construct, renovate, expand and equip veterans homes in Fresno and Shasta Counties, Lancaster, Saticoy, West Los Angeles, Yountville, Chula Vista and Barstow. The bill contains an urgency clause.

STATUS: On the Senate floor.

AJR 36 DUTTON **Veterans benefits: Qualified Veterans Mortgage Bonds (Amended June 12, 2003)**

This measure memorializes the President and the Congress to enact legislation that would revise provisions of the Internal Revenue Code so that Qualified Veterans Mortgage Bonds may be issued by a state to fund home purchase and home improvement loans to certain additional veterans.

STATUS: In the Senate Veterans Affairs Committee.

SB 73 ALPERT **National Guard**

This bill would permit the Adjutant General to establish rules and regulations for the provision of morale, welfare, and recreational activities for members of the National Guard, in accordance with federal military regulations. The bill would also permit the Adjutant General or the National Guard to accept donations for the benefit of the Military Department.

STATUS: Passed by the Legislature. To enrollment.

SB 135 FLOREZ

Inspector General for Veterans Affairs

This bill would provide that a peace officer includes the Inspector General for Veterans Affairs and any employee designated by the inspector general, provided that the primary duty of these peace officers is conducting reviews and investigations of veteran programs.

STATUS: In the Senate Public Safety Committee.

SB 368 KNIGHT

Farm and home purchase: life or disability insurance

This bill would provide that it is the intent of the Legislature to enact legislation to clarify the coverage of life or disability insurance benefits that are provided to purchasers of farms or homes pursuant to the Veterans Farm and Home Purchase Act of 1974.

STATUS: In the Senate Rules Committee.

SB 369 KNIGHT

Veterans Homes of California: administration

This bill would establish the Division of Veterans Health Services within the State Department of Health Services, beginning July 1, 2005, and vest administration of the Veterans Homes of California in that division.

STATUS: In the Senate Veterans Affairs Committee.

SB 371 HOLLINGSWORTH/ KNIGHT **Postsecondary education: resident classification**

This bill would eliminate the one-year limitation on resident classification for graduate students, and would additionally entitle members of the military reserves and military veterans, as well as members of the immediate families of those persons, to resident classification. The bill would request the Regents of the University of California to establish the same residency requirements as those established by this bill for students enrolled at the University of California.

STATUS: On the Senate floor.

SB 385 MORROW

Farm and home purchases: life or disability insurance

This bill would prohibit the life and disability insurance reserves in the Cal-Vet loan program from being more than 25% in excess of actuarial requirements plus the reasonable contingency reserve.

STATUS: In the Assembly Veterans Affairs Committee.

SB 544 CHESBRO

Veterans: recorded documents (Amended July 3, 2003)

This bill would require, if any military veteran requests the recordation of any military discharge document, including a veteran's service form DD214, that the county recorder shall require the veteran to sign a form that acknowledges that the document becomes part of the official record of the county, and subject to inspection. It would also provide, contingent upon the enactment of AB 1179, that no copy of a recorded military discharge document may be issued except as provided by a specified provision of law proposed by that bill.

STATUS: In the Senate for concurrence.

SB 561 KNIGHT

Veterans: administration (Amended April 22, 2003)

This bill would vest the administration of the Farm and Home Purchases Program in the California Housing Finance Authority commencing on July 1, 2004. This bill would also require the authority to convene an advisory committee and prepare a report regarding the authority's administration and operation of that program.

STATUS: In the Senate Housing and Community Development Committee.

SB 748 McPHERSON

Veterans cemeteries (Amended April 3, 2003)

This bill would, until January 1, 2005, create the Governor's Commission on State Veterans Cemeteries within the department. It would require the commission to establish the need for state veterans cemeteries, and locate and prioritize sites for the future construction of those cemeteries.

STATUS: In the Assembly Appropriations Committee.

SB 764 MORROW

Property tax: disabled veteran's exemption

This bill would increase the disabled veteran's property tax exemption to \$200,000 generally and to \$250,000 if the exemption claimant's income does not exceed \$40,000 as adjusted by a specified inflation factor.

STATUS: In the Senate Revenue and Taxation Committee.

SB 809 MORROW**Public postsecondary education: children of deceased or disabled veterans**

This bill would authorize the department, for good cause, and based on the financial needs of a child who otherwise qualifies under this provision, to grant an exception to the annual income limit for that child. The bill would require the department to adopt and publish regulations defining the conditions under which an income limit exception may be granted under this provision. The bill contains an urgency clause.

STATUS: In the Senate Committees on Education and Veterans Affairs.

SB 838 KNIGHT**Veterans homes (Amended April 30, 2003)**

This bill would appropriate \$485,000 from the Veterans Home Fund to the department for allocation to the California Veterans Home Project Team. The bill contains an urgency clause.

STATUS: In the Assembly Appropriations Committee.

SB 843 DENHAM**Department of Veterans Affairs**

This bill would make technical, nonsubstantive changes to existing law that establishes in state government the Department of Veterans Affairs and authorizes the director of the department to employ all employees necessary to carry out his or her powers and duties.

STATUS: In the Senate Rules Committee.

SB 965 AANESTAD**Veterans Home of California (Amended July 3, 2003)**

This bill would authorize the redevelopment agency for the City of Redding, the County of Shasta, and any other city within the County of Shasta to borrow funds deposited in the agency's Low and Moderate Income Housing Fund to provide financial assistance for the acquisition of property for a veterans home within the jurisdiction of the agency for the City of Redding. This bill would require, at each veterans home or veterans home site, an administrator recommended by the Secretary of Veterans Affairs and appointed by the Governor. This bill contains an urgency clause.

STATUS: Signed by the Governor (Chapter 198).

SB 1008 MACHADO**Disabled veteran business enterprises (Amended August 18, 2003)**

This bill would modify the definition of disabled veteran business enterprise (DVBE), and specify that a limited liability company may be certified as a DVBE if that company is wholly owned by one or more disabled veteran. The bill would also change the definition of “disabled veteran” to instead mean a veteran with a service-connected disability of at least 10% who is a resident of, and is domiciled in the state. The bill would prohibit an awarding department from relying on the administering agency’s certification of a DVBE if that department knows that the DVBE does not maintain the certification requirements. The bill would also prohibit state funds expended on a contract with a DVBE that does not meet and maintain the certification requirements from being credited toward the 3% goal. This bill would provide that it is unlawful to knowingly and with intent to defraud, fraudulently represent participation of a DVBE in order to obtain or retain a bid preference or a state contract. This bill would also require a defendant to pay all of a plaintiff’s costs and attorneys’ fees in a civil action brought for fraudulently obtaining certification as a DVBE.

STATUS: In the Assembly Appropriations Committees.

SB 1028 ASHBURN

Veterans: public records

This bill would provide that any veteran’s record that is recorded shall be confidential and that copies of these records may be furnished only to either the person who is the subject of the record upon presentation of proper photo identification, or to a county office that provides veterans benefits services upon written request of that office.

STATUS: In the Senate Committees on Veterans Affairs and Judiciary.

SJR 17 MORROW

Veterans benefits (Amended July 24, 2003)

This measure would request the President and the Congress of the United States to enact legislation to establish a federal/state partnership to use county veterans service officers to assist the United States Department of Veterans Affairs in eliminating the veterans claims processing backlog.

STATUS: On the Senate floor.